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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 DONALD ENGELBACH,

10 Plaintiff,

11 v.

12 COUNTY OF ISLAND; et al.,

13 Defendants.

C08-1802Z

ORDER

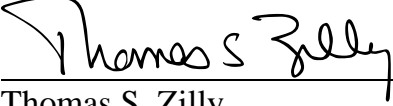
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15 THIS MATTER comes before the Court on Defendant City of Langley and Defendant  
16 David Marks' Motion for Summary Judgment on State Law Claims for Failure to Comply  
17 with RCW 4.96.020, dkt. 27. Having considered the papers filed in support of and in  
18 opposition to the motion, and the declarations and exhibits attached thereto, the Court enters  
19 the following Order.

20 The Motion for Summary Judgment is GRANTED in part and DENIED in part.  
21 Plaintiff Donald Engelbach's state law claims against Defendant City of Langley and  
22 Defendant David Marks are DISMISSED WITHOUT PREJUDICE. Plaintiff is hereby  
23 given ninety days (90) leave to amend his complaint to comply with RCW 4.96.020.  
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IT IS SO ORDERED.

DATED this 12th day of November, 2009.

  
Thomas S. Zilly  
United States District Judge